



Order Filed on April 29, 2021  
by Clerk  
U.S. Bankruptcy Court  
District of New Jersey

UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1

DENISE CARLON, ESQUIRE  
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Attorneys for Movant  
NewRez LLC d/b/a Shellpoint Mortgage Servicing

In Re:

Moshe German,

Debtor.

Case No.: 21-11067 CMG

Adv. No.:

Hearing Date: 4/21/2021 @ 10:00 a.m.

Judge: Christine M. Gravelle

**ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO DEBTOR'S  
CHAPTER 13 PLAN**

The relief set forth on the following pages, numbered two (2) through two (2) is hereby  
**ORDERED**

**DATED: April 29, 2021**

  
\_\_\_\_\_  
Honorable Christine M. Gravelle  
United States Bankruptcy Judge

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Debtor: Moshe German

Case No.: 21-11067 CMG

Caption: **ORDER RESOLVING SECURED CREDITOR'S OBJECTION TO  
DEBTOR'S CHAPTER 13 PLAN**

This matter having been brought before the Court by KML Law Group, P.C., attorneys for Secured Creditor, NewRez LLC d/b/a Shellpoint Mortgage Servicing, holder of a mortgage on real property located at 251 174th Street, Apt. 23, Sunny Isles Beach, NJ 33160, Denise Carlon appearing, by way of objection to the confirmation of Debtor's Chapter 13 Plan, and this Court having considered the representations of attorneys for Secured Creditor and Yakov Rudikh, Esquire, attorney for Debtor, Moshe German, and for good cause having been shown;

It is **ORDERED, ADJUDGED and DECREED** that the Debtor hereby surrenders his interest in the subject property; and

It is further **ORDERED, ADJUDGED and DECREED** that the automatic stay and co-debtor stay is vacated as to the subject property and that such relief shall be effective upon the date of the entry of the confirmation order; and

It is further **ORDERED, ADJUDGED and DECREED** that stay relief is granted as to the subject property regardless of the provisions in the Debtor's chapter 13 plan stating otherwise; and

It is further **ORDERED, ADJUDGED and DECREED** that once relief is effective, Secured Creditor, its successors or assignees, may proceed with its rights and remedies under the terms of the subject Mortgage and pursue its State Court remedies including, but not limited to, taking the Property to Sheriff's Sale, in addition to potentially pursuing other loss mitigation alternatives, including, but not limited to, a loan modification, short sale or deed-in-lieu foreclosure. Additionally, any purchaser of the Property at Sheriff's Sale (or purchaser's assignee) may take any legal action for enforcement of its right to possession of the Property;

It is further **ORDERED, ADJUDGED and DECREED** that Secured Creditor may join the debtor, co-debtor, and any trustee appointed in this case as defendants in its action(s) irrespective of any conversion to any other chapter of the Bankruptcy Code; and

It is **FURTHER ORDERED, ADJUDGED and DECREED** that Secured Creditor's objection to confirmation is hereby resolved.

In re:  
Moshe German  
Debtor

Case No. 21-11067-CMG  
Chapter 13

## CERTIFICATE OF NOTICE

District/off: 0312-3  
Date Rcvd: Apr 29, 2021

User: admin  
Form ID: pdf903

Page 1 of 1  
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 01, 2021:

Recip ID	Recipient Name and Address
db	+ Moshe German, 5 Duncan Place, Morganville, NJ 07751-1605

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: May 01, 2021

Signature: /s/Joseph Speetjens

## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 29, 2021 at the address(es) listed below:

Name	Email Address
Albert Russo	docs@russotrustee.com
Denise E. Carlon	on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
U.S. Trustee	USTPRegion03.NE.ECF@usdoj.gov
Yakov Rudikh	on behalf of Debtor Moshe German rudikhlawgroup@gmail.com rudikhlawgroup@gmail.com;yrudikh@gmail.com;zk1313@gmail.com;R61945@notify.bestcase.com

TOTAL: 4